



PATENT  
Docket No.: KEMP-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Not yet available

Examiner: Not Yet Assigned

Serial No.: 10/601,073

Filed: June 19, 2003

In re Application of: Michie, et al

For: AUTOMATIC POWER CONTROL OF A SEMICONDUCTOR OPTICAL  
AMPLIFICATION

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Sept. 17, 2003, Signed Tamara L. Charland

Tamara L. Charland

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed please find the following:

1. Information Disclosure Statement;
2. Form PTO-1449
3. Copies of 17 References.

In the event any additional fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No.: 50-0612.

Respectfully submitted,  
SIERRA PATENT GROUP, LTD.

Dated: Sept 17 2003

Sierra Patent Group, Ltd.  
P.O. Box 6149  
Stateline, NV 89449  
(775) 586-9500

Andrew D. Gathy  
Andrew D. Gathy  
Reg. No.: 46,441



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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached, may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

This Information Disclosure Statement under 37 CFR §§1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

## I

This statement is filed pursuant to:

( X ) 37 C.F.R. §1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

( ) 37 C.F.R. §1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. §1.113 or (2) a notice of allowance under 37 C.F.R. §1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17 (p) or a statement according to 37 C.F.R. §1.97(e).

( ) 37 C.F.R. §1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. §1.97(c).

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. §1.17(p), \$180.00, for submission of an information disclosure statement under 37 C.F.R. §1.97(d).

37 C.F.R. §1.97(e).

( ) (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

( ) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c), more than three months prior to the filing of the statement.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. §1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.


II

- ( X ) No fee is due.
- ( ) The fee specified in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c) or 37 C.F.R. § 1.97(d) is enclosed, \$180.00.

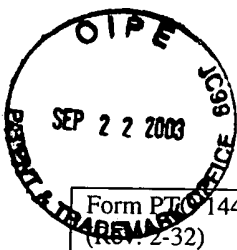
In the event any fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-0612. A duplicate of this page is enclosed.

Respectfully submitted,  
SIERRA PATENT GROUP, LTD.

Dated: *Sept 17 2003*

  
Andrew D. Gathy  
Reg. No.: 46,441

Sierra Patent Group, Ltd.  
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Form PTO-1449  
(REV. 2-32)U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
KEMP-003

Serial No.

10/601,073

## Information Disclosure Statement by Applicant

Applicant:  
Walter Craig Michie et al.

(Use several sheets if necessary)

Filed: June 19, 2003

Group: Not available

## U.S. Patent Documents

Init.		Document No.	Date	Name	Class	Subclass	Filing Date
	1.	5,854,704	12/29/1998	Grandpierre	359	189	06/25/1997
	2.	5,485,302	01/16/1996	Braun, et al.	359	189	04/18/1995
	3.	4,918,396	04/17/1990	Halemane, et al.	330	4,3	04/05/1989
	4.	4,958,354	09/18/1990	Urakami, et al.	372	29	05/08/1989
	5.	U.S. Pub. No.: US 2001/0040721 A1	11/15,2001	Gerrish, et al.	359	341.41	03/30/2001
	6.	5,706,126	01/06/1998	Fujita	359	341	09/04/1996
	7.	5,040,033	08/13/1991	Dutta, et al.	357	19	06/26/1989
	8.	5,281,829	01/25/1994	Chinen	257	80	09/11/1992
	9.	5,349,598	09/20/1994	Ouchi, et al.	372	50	01/29/1993
	10.	U.S. Pub. No.: US2001/0053260 A1	12/20/2001	Takizawa, et al.	385	14	03/13/2001

## Foreign Documents

Init.		Document No.	Date	Country	Class	Subclass	Translation	
							Yes	No
	11.	WO 01/061903 A1	08/23/2001	PCT	H04J	14/02	X	
	12.	WO 01/80381 A1	10/25/2001	PCT	H01S	3/094		X
	13.	WO 01/65736 A1	09/07/2001	PCT	H04B	10/08	X	
	14.	WO 01/20820 A1	03/22/2001	PCT	H04	10/17	X	
	15.	JP11112434 A (Eng. Lang. Abst.)	04/23/1999	Japan	H04B	10/17		X
	16.	JP2000232433 A (Eng. Lang. Abst.)	08/22/2000	Japan	H04J	14/00		X
	17.	JP2000208845A (Eng. Lang. Abst.)	07/28/2000	Japan	H01S	3/10		X

(Other Documents (Including Author, Title, Date, Pertinent Pages, etc.))

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conference with MPEP 609; Draw line through citation if not conformance and not considered. Include a copy of this form with the next communication to applicant.